

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY

CHARLES O'DELL	:	
Plaintiff,	:	
	:	
	:	CIVIL ACTION NO.
v.	:	
	:	
WILBERT THOMAS SAVAGE;	:	
BRADWAY TRUCKING;	:	
and/or JOHN DOES, 1 through 10	:	
(fictitious named defendants)	:	
individually, jointly, severally and/or in	:	JURY TRIAL DEMANDED
the alternative,	:	
Defendants.	:	

NOTICE OF REMOVAL OF ACTION

Defendant, Wilbert Thomas Savage, by and through his attorneys, Rawle & Henderson, LLP, respectfully avers as follows:

1. Plaintiff commenced a civil action against defendants in the Superior Court of New Jersey for Camden County, by Complaint on or about March 2, 2012, as a result of an alleged March 29, 2010 motor vehicle accident. See Plaintiff's Complaint attached as Exhibit "A."

2. The Complaint, being the original process in this case, was first received by defendant, Wilbert Thomas Savage, on or about March 26, 2012. Thus, this Notice of Removal is filed within the time provided by 28 U.S.C. §1446(b).

3. This action satisfies the requirements for removal within the meaning of 28 U.S.C. §1332 in that:

1. Plaintiff and Defendants' citizenships are diverse;

1) Plaintiff is a resident and citizen of the Commonwealth of Pennsylvania. According to the Complaint, Plaintiff resides at 6126 Tulip Street in Philadelphia, Pennsylvania.

2) Defendants are citizens of a state other than Pennsylvania. Defendant, Bradway Trucking, Inc., is a corporation incorporated under the laws of the state of New Jersey with its principal place of business in Vineland, New Jersey.

3) Defendant, Wilbert Thomas Savage, is a resident and citizen of Baltimore, Maryland.

b) The amount in controversy exceeds \$75,000, exclusive of interest and costs. In his Complaint, plaintiff claims damages for, *inter alia*, the following:

serious and permanent injuries to his head limbs and body; was caused to suffer pain and may in the future by (sic) caused to suffer pain, was caused to incur medical expenses and may in the future by (sic) caused to suffer pain, was caused to incur medical expenses and may in the future be caused to incur medical expenses; was caused to suffer permanent injuries, caused to lose time from his employment and was caused to suffer permanent injuries.

See Exhibit "A" at ¶ 7.

4. Therefore, a fair reading of the Complaint reveals that an amount in excess of \$75,000 is in controversy in this suit.

5. The undersigned counsel represents Bradway Trucking, Inc. and it consents to this Removal.

WHEREFORE, defendant, Wilbert Thomas Savage, requests that the above action now pending against defendants in the Superior Court of New Jersey for Camden County be removed therefrom to this Court.

Respectfully submitted,

RAWLE & HENDERSON, LLP

By: /s/ Dawn L. Jennings
Dawn L. Jennings
40 Lake Center Executive Park
401 Route 73 North, Suite 200
Marlton, New Jersey 08053
(856) 596-4800

Date: March 30, 2012

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the within-captioned Notice of Removal was served via first-class mail, postage prepaid, on:

Paul A. Sochanchak, Esquire
The Lundy Law Firm
1040 North Kings Highway, Suite 305
Cherry Hill, NJ 08034
Attorney for Plaintiff

RAWLE & HENDERSON, LLP

By: /s/ Dawn L. Jennings
Dawn L. Jennings

Dated: March 30, 2012